

CHAPTER 6 GROUND OPERATOR AIRCRAFT

Section 1 Background

1. PTRS ACTIVITY CODES

A. *Maintenance.* 3350

B. *Avionics.* 5350

3. OBJECTIVE. This chapter provides guidance for grounding an aircraft used in air transportation, under the provisions of Section 605(b) of the Federal Aviation Act of 1958, as amended.

5. GENERAL

A. An inspector will seldom have to impose the 5-day grounding provisions of Section 605(b). The knowledge that the inspector has this authority and is not reluctant to use it is usually sufficient to cause an operator to take the necessary corrective actions.

B. An inspector must be able to substantiate a grounding action with factual justification of an unsafe condition. The grounding notice must not be issued unless it is clear to the inspector that, if operated in this condition, the aircraft would be subject to the probable danger of accident and likely to cause injury/damage to persons or property.

7. INSPECTOR RESPONSIBILITY. An inspector who becomes aware of an unsafe condition in an aircraft that is being operated or about to be operated and fails to act under the provisions of Section 605(b) FA Act of 1958, as amended, is in dereliction of duty. This duty is placed specifically by Congress upon the inspector rather than on the Administrator. If the inspector, after due consideration, still has any doubts regarding whether or not to ground the aircraft, the grounding notice should be issued.

Section 2 Procedures

1. PREREQUISITES AND COORDINATION REQUIREMENTS

A. *Prerequisites*

- Completion of the Airworthiness Inspectors Indoc-trination Course or equivalent
- Knowledge of Section 605(b) of the Federal Aviation Act of 1958, as amended

B. *Coordination.* This task will require coordination between the Aviation Safety Inspector (ASI), the district office supervisor, region, regional counsel, and the operator's principal inspector.

3. REFERENCES, FORMS, AND JOB AIDS

A. *References*

- Order 2150.3, Compliance and Enforcement Handbook

B. *Forms.* None.

C. *Job Aids*

- Figure 6-1, Aircraft Grounding Form

5. PROCEDURES

A. *Determine Extent of Problem.* In order to issue a grounding notice, the inspector must come to the following conclusions:

- The aircraft is not in a condition for safe operation
- The operator intends to put the aircraft into revenue service in that unsafe condition
- This unsafe condition constitutes a hazard to persons and/or property

B. *Consult With Principal Maintenance Inspector/Regional Office, if Time Permits.* This coordination must not interfere with any immediate action necessary to ground an unsafe aircraft that is expected to operate.

(1) Before notifying an operator that an aircraft is being grounded temporarily, the inspector may, if circumstances permit, consult by phone with the appropriate regional office through the district office supervisor.

(2) If the inspector performing the task is not the Principal Maintenance Inspector assigned to the operator, the inspector should consult with that individual, time permitting.

C. *Notify Appropriate Personnel That the Aircraft is Grounded*

(1) Immediately after discovering the unsafe condition, verbally notify the pilot in command or other operator personnel who have the authority to keep the aircraft on the ground, of the following:

(a) The aircraft cannot not be operated for five days or until the unsafe condition is corrected

(b) The reasons for the grounding action

(c) That necessary precautions must be taken to ensure that the aircraft is not operated

(d) The authority of 605(b) of the FA Act of 1958, as amended

(2) In the event that the operator's representative insists upon written notification of the grounding as a prerequisite to taking the aircraft out of service, provide a letter containing as much information as possible.

D. *Debrief Regional Office.* Provide details of the grounding to the appropriate regional office in accordance with regional procedures.

E. *Ensure That Written Notification is Received by the Appropriate Operator Personnel.* Obtain a receipt for the written notification. The word "received," date, and signature of an operator representative on a copy of the notification is sufficient.

F. *Determine if Violation Action is Necessary.* If the unsafe condition was a result of failure to comply with Federal Aviation Regulations, initiate violation action in accordance with established office procedures.

7. TASK OUTCOMES

A. *File PTRS Transmittal Form*

B. *Confirm Verbal Grounding in Writing.* As soon as possible, confirm the verbal grounding in writing. Include the following information:

(1) Time and date when verbal grounding notification was given

(2) Person(s) to whom verbal grounding notification was given

(3) A statement of unsafe condition(s) that caused the temporary grounding action

(4) A statement that Section 605(b) of the FA Act of 1958, as amended, was used as authority for the grounding action

(5) A statement that the five-day grounding period began when the inspector first verbally notified the operator

C. File Copies with Regional Office

(1) Mail two copies of the written grounding confirmation to the regional office.

(2) Provide the details of the grounding and a copy of the grounding confirmation to the operator's assigned Principal Maintenance Inspector, when applicable.

D. *Document Task.* File all supporting paperwork in the operator's office file.

9. FUTURE ACTIVITIES*A. Inspector*

(1) Closely follow the action taken by the operator to correct the unsafe condition. If the condition is corrected and the aircraft is made safe for operation before five days elapse, notify the operator in writing that the aircraft may now be operated.

(2) If the unsafe condition is not corrected, and there is good reason to expect the operator will operate the aircraft after the five days elapse, inform the regional office of this situation. Request that a formal order be issued by regional counsel suspending or revoking the Certificate of Airworthiness. This action should be initiated in time to allow such an order to be issued effective immediately upon termination of the five-day grounding period.

B. Regional Office

(1) The appropriate regional office, after receiving the details of the temporary grounding, will notify the regional counsel as promptly as possible. The regional counsel will be given all pertinent details, including a copy of the written confirmation of grounding given the operator by the inspector.

(2) If there is a possibility that the operator will contest the grounding action, the Manager of the Aircraft Maintenance Division, AFS-300 and the National Field Office, AFS-500 should be informed promptly of the conditions and circumstances involved.

FIGURE 6-1
AIRCRAFT GROUNDING

THIS TO INFORM YOU THAT AIRCRAFT MAKE _____ MODEL _____, SERIAL # _____,

N- _____ IS FOUND TO BE UNSAFE FOR OPERATION DUE TO THE FOLLOWING CONDITION: _____

AS A RESULT OF THIS UNSAFE CONDITION AND DUE TO THE FACT THAT _____
_____ AIRLINES INTENDS TO OPERATE N- _____ IN REVENUE SERVICE, THE FAA
EXERCISES THE TEMPORARY GROUNDING AUTHORITY OF SECTION 605(b) OF THE FA ACT OF 1958, AS
AMENDED.

VERBAL NOTIFICATION OF THE TEMPORARY GROUNDING OF N- _____ HAS BEEN GIVEN TO (NAME)
_____, ON (DATE) _____ AT (TIME) _____ UNDER THE
PROVISIONS OF SECTION 605(b) OF THE FA ACT OF 1958, AS AMENDED, AIRCRAFT, N- _____ IS GROUNDED
FOR A PERIOD OF 5 DAYS AND CANNOT NOT BE USED IN AIR TRANSPORTATION UNLESS FOUND BY THE FAA TO
BE IN A SAFE CONDITION FOR SAFE OPERATION. THE TEMPORARY GROUNDING STARTED AT THE TIME OF THE
VERBAL NOTIFICATION BEING GIVEN.

AVIATION SAFETY INSPECTOR _____

FLIGHT STANDARDS DISTRICT OFFICE _____

RECEIVED BY (NAME) _____

OPERATOR NAME _____

DATE _____

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